

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
OCTOBER 11, 2010 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on October 11, 2010 beginning at 10:00 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6th Street, Coupeville, Washington. Helen Price Johnson, Chair, Angie Homola, Member, and John Dean, Member were present. The meeting began with the Pledge of Allegiance.

EMPLOYEE SERVICE AWARDS (Record Part 1 @ :50)

WELCOME TO NEW EMPLOYEES

<u>Department</u>	<u>Employee</u>
Human Resources	Melanie Bacon

EMPLOYEE SERVICE AWARDS

<u>Department</u>	<u>Employee</u>	<u>No Years</u>
Commissioners	Cathleen Kappel	20
Human Services	Dan Bond	5
Planning	Tamra Patterson	10
Public Works	Daniel Thomason	15
Sheriff	Clark Sewell	10
Sheriff	Rick Norrie	20

EMPLOYEE OF THE MONTH FOR SEPTEMBER

CODY WEST – PLANNING & COMMUNITY DEVELOPMENT

On September 10, 2010, Plans Examiner/Building Inspector Cody West arrived at a jobsite to perform a building inspection and noticed that the landowner had collapsed in the carport. Cody immediately called 911 and performed CPR on the gentleman until the paramedics arrived.

Cody's show of compassion and assistance to a fellow citizen were in the best tradition of public service. Furthermore, Cody always has a great attitude and is a terrific coworker. The citizens of Island County are well served by public employees such as Cody, and Island County is glad to have someone of his caliber to select as Employee of the Month.

SPECIAL RECOGNITION

RANDY BRACKETT – ASSISTANT COUNTY ENGINEER – PUBLIC WORKS

Washington Chapter American Public Works Association winner of the Roy Morse Award. The award is given for "outstanding technical or professional accomplishments in Public Works." The winner of this award is usually submitted to the National American Public Works Association as the Top Ten Public Works Leader candidate for the Chapter.

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PUBLIC INPUT OR COMMENTS

None

CONSENT AGENDA (Record Part 1 @ 20:14)

[Documents on file with the Clerk of the Board]

BY UNANIMOUS MOTION (3-0) the Board approved the following items presented on the Consent Agenda:

Vouchers: \$259,135.28
Warrants: \$808,930.44
Electronic funds transfers: \$235,217.16
Minutes from previous meeting(s): None presented

Emergency Management

- Amendment A to Grant Agreement with Snohomish DEM for the State Homeland Security Grant Program (SHSGP). Contract No. E10-206; Amount \$166,133.00 (RM-DEM-10-0383)
- Amendment B to Grant Agreement with Snohomish DEM for the State Homeland Security Grant Program (SHSGP). Contract No. E09-181; Amount \$181,799.00 (RM-DEM-10-0384)

General Services Administration

ALEA Project Agreement with the State of Washington towards the Westside Camano acquisition [Henry Hollow]. Amount: \$525,420.66. (RM-GSA-10-0373)

Human Resources - Personnel Action Authorizations

None Presented

Public Works – County Roads

- **Public Hearing Scheduled** – Franchise #392 – Franchise for a sewer transport line located in County rights-of-way known as Cool Road and Sunset Drive located in Section 3, Township 31N, Range 3E, Camano Island; Date and Time: **November 1, 2010 at 10:15 am** (RM-PW-10-398) (PW-1020-084)
- **Public Hearing Scheduled** – Resolution C-87-10/R-27-10 – In the Matter of the Petition of Clarence Swanson, et.al., for the vacation of a portion of County road right-of-way known as Ferry Dock Road located in Sec. 30, Twp 29N, R 4E; Date and Time: **November 8, 2010 at 10:20 am**

Public Works - Drainage

- Permanent Drainage Easement – Lembhard & Marjorie Howell; Honeymoon Bay Road Culvert Replacement; WO 438; Parcel 249-2300; Sec. 34, Twp 30N, R 2E (RM-PW-0344) (PW-11020-069)
- Temporary Construction Easement & Agreement – Martin Hochfeld; Honeymoon Bay Road Culvert Replacement; WO 438; Parcel 260-3000; Sec. 34, Twp 30N, R 2E (RM-PW-10-0342) (PW-1020-067)
- Temporary Construction Easement & Agreement – James & Anne Delimitros; Honeymoon Bay Road Culvert Replacement; WO 438; Parcel 250-3000; Sec. 34, Twp 30N, R 2E (RM-PW-10-0359) (PW-1020-072)

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- Permanent Drainage Easement – James & Anne Delimitros; Honeymoon Bay Road Culvert Replacement; WO 438; Parcel 250-3000; Sec. 34, Twp. 30N, R2E (RM-PW-10-0393) (PW-1020-068)

Public Works - Parks

Purchase Order No. 9360 – Environmental Abatement Services, Inc.; Asbestos Removal; \$5,667.62 (incl. WSST) (RM-PW-03293) (PW-1020-086)

Public Works – Solid Waste

Purchase Order No. 6712 – Setco; Replacement of Solid Rubber Tires/Rims for 2007 John Deere Front End Loader; \$16,001.73 (incl WSST) (RM-SW-10-0399) (SW-09-10)

Superior/Juvenile Courts

- Contract with Dellamas & Assoc, Inc for chemical dependency treatment services for Drug Court. Amount: \$330.00 (RM-JUV-10-0400)
- Contract with Phoenix Recovery Services, LLC for drug testing. Amount: NTE \$1000 (RM-JUV-10-0401)

Liquor License(s)

- Application for Special Occasion Liquor License No. 094180 by the Citizens Against Domestic and Sexual Abuse for a special occasion to be held December 4, 2010 from 7:00 p.m. to midnight at the Bayview Community Hall, 5642 Bayview Rd., Langley
- Application for Special Occasion Liquor License No. 092151 by the Camano Senior Center for a special occasion to be held October 30, 2010 from 7:00 p.m. to 10:00 p.m. at the Camano Senior Center, 606 Arrowhead Rd., Camano Island
- New application for Liquor License No. 366817-3D by Davis Industries, Inc., Michael J. Davis, Steffi Lynn Davis, Nathan Michael Davis

REGULAR AGENDA (Record Part 1 @ 23:30)

[Documents on file with the Clerk of the Board]

Consider Appointments and/or Reappointments to Boards and Committees

Reappointment of Ron Van Dyke to the Historical Review Committee

MOVED BY DEAN, SECONDED BY HOMOLA, to REAPPOINT Ron Van Dyke.
MOTION CARRIED: 3-0

Appointment of Alerd Johnson to the Northwest Workforce Development Council

MOVED BY DEAN, SECONDED BY HOMOLA, to APPOINT Alerd Johnson. MOTION CARRIED: 3-0

Appointment of Toni Amsler to the Fair Association Board of Directors

MOVED BY DEAN, SECONDED BY HOMOLA, to APPOINT Toni Amsler. MOTION CARRIED: 3-0

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Commissioners

Rural County Economic Development Fund

Interlocal Agreement with City of Oak Harbor awarding Rural County Economic Development Funds for Pioneer Way Street Reconfiguration project. Amount: \$1,000,000 (RM-BUD-10-0329)

Ms. Marlow advised that the County collects Rural County Economic Development Sales Taxes to provide funding for infrastructure projects that support the retention, expansion, and new businesses within Island County. The County has a competitive process, advertising for applications from cities and ports for the funds and screened by the Island County Council of Governments. One of the recommendations made by the Council of Governments in October 2007 was to award \$1,000,000 of funding to the City of Oak Harbor for a road improvement project on Pioneer Way. The Board of County Commissioners in December of 2007 made a formal award to the City of Oak Harbor and considered by the Board today, is an interlocal agreement with the City to actually disburse the funds. The purpose of the agreement is to allow the County to provide partial funding to the City for costs of a utility improvement project on Pioneer Way. Page 2 of the agreement states:

Purpose. The purpose of this agreement is to allow the County to provide partial funding assistance to the City for costs of a utility improvement project known as Pioneer Way Street Reconfiguration and said improvements are more particularly described in the application for Rural County Economic Development Funds submitted to the County by the City dated August 6, 2007.

Steve Powers, Director of Development Services for the City of Oak Harbor (joined by Mayor Slowik, City Administrator Paul Schmidt, and City Attorney Margery Hite) provided the documentation requested by the County:

- Declaration from Finance Director Doug Merriman attesting that the funds are available in the various City accounts necessary to meet the City's matching share of the project.
- Two certified copies of resolutions passed by the City Council committing to spending the funds on the project.

MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE the Interlocal Agreement with the City of Oak Harbor for a utility improvement project on Pioneer Way. MOTION CARRIED: 3-0

PUBLIC HEARINGS

[Documents on file with the Clerk of the Board]

Planning & Community Development (Record Part 1 @ 34:25)

CPA 155/04, Oak Harbor Comprehensive Plan Amendment: The Board will consider whether to adopt or reject the Planning Commission recommendation as transmitted to the Board on September 8, 2010.

The Public Hearing was opened at 10:37 a.m.

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For the Record:

- Department memorandums dated August 31, September 8, and October 1, 2010 (GMA Nos 10452, 10453, 10468)
- Email record (GMA No. 10513)
- Public comments (GMA No 10514)
- Power Point provided by staff – *(of record with Planning)*
- City of Oak Harbor letter dated Oct 11, 2010 *CPA 155/04 Oak Harbor UGA Expansion – Analysis and summary of issues for board action on the Planning Commission Recommendation.* (GMA No 10515)
- Power Point provided by Gaylynn Beighton – *(thumb drive on file with the Clerk of the Board)*
- Power Point provided by WEAN – *(of record with Planning)*
- Memorandum dated October 7, 2010 provided by WEAN (GMA No. 10516)
- Petition from Rita Peterson dated October 11, 2010 (GMA No. 10517)
- Email from Ann Dannhauer dated October 11, 2010 (GMA No. 10518)
- Email from Evan Reuse dated October 10, 2010 (GMA No. 10519)

Mr. Pederson indicated that work on the issue began in 2003 as part of the planned 2005 update to the County Comprehensive Plan. There was a long procedural history and work effort as outlined in the Department's August 31 memorandum. The key elements were three procedural steps that had not been completed with respect to the Comp Plan Amendment:

- Transmittal to the Board of the actual Planning Commission recommendations from January 2007
- SEPA threshold determination
- Final legislative action

The purpose of the Public Hearing is a Board decision whether to accept (as is) or reject the Planning Commission recommendation. Mr. Pederson began with a Power Point presentation highlighting the subject's background, standards for review, and the larger issues associated with the Comp Plan Amendment.

Based on the record staff recommended the Board reject the Planning Commission's recommendation for Comp Plan 155/04 as there is sufficient information in the record to demonstrate that the Urban Growth Area is adequate to accommodate the anticipated growth through 2025. Staff further recommended that CPA 155/04 be changed to only include Parcel 1 (Hansen) which is the \pm 18 acre parcel northeast of the Ault Field Road and Old Goldie Road intersection. The parcel is not intended for residential development and has a Comprehensive Plan designation of LM (Light Manufacturing) and is currently LM (Light Manufacturing). Non-residential urban growth would be appropriate at this location.

If the Board agreed with staff's recommendation, then following action the revised Comp Plan Amendment would be submitted to the Department of Commerce for 60-day review, there would be a SEPA threshold determination issued on the new recommendation, and the revised Comp Plan Amendment would be referred to the Planning Commission for a new public hearing and recommendation back to the Board. The Planning Commission has 90 days to complete the process. Final legislative action would be about March 8 of 2011.

The Chair opened the floor to public comment.

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Steve Powers, City of OH Director of Development Services, said the City objects to the staff recommendation for the following reasons:

- Challenging 2005 population projections
- The County has not performed its required urban growth area review
- Market factor mischaracterized
- Alleged inaccuracies of City's work as a reason to reject proposal
- Staff recommendation does not "show its work"
- A SEPA Threshold Determination has not been issued for the pending proposal

The City strongly encouraged the Board to accept the Planning Commission's recommendation without any changes.

A number of people urged the Board to reject CPA 155/04 as written with a few in attendance supporting the proposal. Following remarks from Mr. Powers addressing concerns from the public, Chair Price Johnson closed public comment.

The Board, Mr. Powers, and staff then participated in a question and answer period followed by Commissioner deliberation and comment.

MOVED BY HOMOLA to reject the Planning Commission's recommendation and agree with staff to change CPA 155/04 to include Parcel 1 (Hansen property) as the sole expansion area. SECONDED BY DEAN. MOTION CARRIED: 3-0 *A public hearing will be scheduled to address the change.*

COMMISSIONERS COMMENTS & ANNOUNCEMENTS (Record Part 1 @ 2:52:42)

Letter in support of the Port of South Whidbey's application for grant funding under the USDAs Rural Business Enterprise Grant program for the South Whidbey Commercial Kitchen

MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE the letter. MOTION CARRIED: 3-0

Commissioner Homola

- Standardization in email subject blocks for purposes of retrieval
- Manned Saratoga Community Housing booth at Uniquely Whidbey Biz Expo
- In Olympia on Friday for State Building Code Council
- First week of November scheduled for Washington Counties Risk Pool Conference in Spokane

Chair Price Johnson

- Attended Uniquely Whidbey Biz Expo and also Fin Fest at Freeland Hall
- Will attend tomorrow a meeting with Washington State Ferries (public hearing about the Mukilteo Multi-Model Station)
- On Thursday is the Smith and Minor Island Celebration

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Clerk of the Board

- Ms. Marlow reviewed Board calendars

There being no further business to come before the Board the meeting adjourned at 1:00 p.m.
The Board will meet next in Regular Session on October 18, 2010 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Helen Price Johnson, Chair

Angie Homola, Member

John Dean, Member

ATTEST:

Elaine Marlow, Clerk of the Board